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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/263,402	03/05/99	HEINONEN	P 442-008516-U

WM02/0118

PERMAN & GREEN
425 POST ROAD
FAIRFIELD CT 06430-6232

EXAMINER	
DAVIS,T	
ART UNIT	**PAPER NUMBER**
2681	7

DATE MAILED: 01/18/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.	Applicant(s)
09/263,402	Heinonen et al.
Examiner	**Group Art Unit**
Temica M. Davis	2681

☒ Responsive to communication(s) filed on *Mar 5, 1999*

☐ This action is **FINAL.**

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire *3* month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) *1-11* is/are pending in the applicat

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) *1-11* is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) _____ .

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). *5*

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because of the reference to "Figure 1". Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-4, 6-9 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pinder, U.S. Patent No. 6,112,074.

Regarding claim 1, Pinder discloses a system for performing environmental measurements and for transferring measuring data, wherein the system comprises a plurality of base stations of a cellular radio system, the base stations comprising means for transferring data in the cellular radio system (col. 2, lines 42-53; figure 1), a plurality of environmental measuring stations each being connected to one of the plurality of base stations (via NOAA) (col. 1, lines 24-34 and col. 2, lines 23-41), the measuring stations inherently comprising measuring means for performing environmental measurements as evidenced by the fact that data is collected by

various observing stations (col. 1, lines 24-34), and control means for transferring measuring data to the respective base station that it is connected to for transferring the measuring data further over said cellular radio system (col. 2, lines 42-67 and col. 3, lines 42-63), a central equipment connected to the cellular radio system for collecting environmental measuring data from the plurality of environmental measuring stations of the cellular radio system (col. 2, lines 42-67), and terminal devices of the cellular radio system for receiving data relating to the environmental measurements via the cellular radio system (col. 3, lines 42-63; figure 1).

Pinder, however, fails to specifically disclose wherein each environmental measuring station is physically placed on the same site as the base station that it is connected to and is physically connected to the respective base station.

The examiner contends, however, that it would have been obvious to a person of ordinary skill in the art at the time the invention was made to place the measuring stations physically at the base stations since placing the measuring stations at the base station sites would be a design preference, and further beacuse the invention would perform equally well (e.g. measuring relevant data pertaining to the environment and transferring that information to base stations, and ultimately to mobile units serviced by the base stations).

Regarding claim 2, Pinder discloses a system according to claim 1, wherein the system comprises a data adapter for adapting the data transferred from the measuring station to the base station into a format suitable for the base station and correspondingly for adapting the data coming from the base station to the measuring station into a format suitable for the measuring

station as evidenced by the fact that all of the entities in the system are able to communicate with each other (figure 1).

Regarding claim 3, Pinder discloses a system according to claim 1, wherein it comprises in said central equipment means for collecting announcements that are sorted regionally and are based upon the collected measuring data, and for transmitting said announcements to terminal devices over the cellular radio system (col. 2, lines 56-67 and col. 3, lines 42-63).

Regarding claim 4, Pinder discloses a system according to claim 1, wherein the control means of one of the plurality of environmental measuring stations have been arranged to transfer measuring data to a terminal device being in the coverage area of the base station (col. 2, lines 49-67).

Regarding claim 6, Pinder discloses a system according to claim 1, wherein the system has been arranged to transfer said measuring data in a *data call* or in a short-message over the cellular radio system (col. 3, lines 20-30).

Regarding claim 7, Pinder discloses a method for performing environmental measurements and for transferring measuring data, wherein the method, comprises the steps of performing environmental measurements in connection with a base station of a cellular radio system (col. 1, lines 24-34 and col. 2, lines 23-41), transferring results representative of the measured environmental data forward to the base station in order to transfer said results further over said cellular radio system (col. 2, lines 42-67 and col. 3, lines 42-63), collecting said results at a central location from the environmental measuring station of the cellular radio system (col. 2,

lines 42-67), and transferring data relating to the environmental measurements to a terminal device of the cellular radio system (col. 3, lines 42-63; figure 1).

Pinder, however, fails to specifically disclose wherein each environmental measuring station is physically placed on the same site as the base station that it is connected to and is physically connected to the respective base station.

The examiner contends, however, that it would have been obvious to a person of ordinary skill in the art at the time the invention was made to place the measuring stations physically at the base stations since placing the measuring stations at the base station sites would be a design preference, and further beacuse the invention would perform equally well (e.g. measuring relevant data pertaining to the environment and transferring that information to base stations, and ultimately to mobile units serviced by the base stations).

Regarding claim 8, Pinder discloses a method according to claim 7, wherein the method further comprises a step of collecting said results through the cellular radio system from environmental measurements at several base stations and creating a regional measuring result based upon them (col. 2, lines 56-67).

Regarding claim 9, Pinder discloses a method according to claim 7, wherein the method comprises transferring said results over the base station to a terminal device being in the coverage area of the base station (col. 2, lines 49-67).

Regarding claim 11, Pinder discloses a method according to claim 7, wherein the method comprises transferring said results in a *data call* or in a short-message over the cellular radio system (col. 3, lines 20-30).

4. Claims 5 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pinder, U.S. Patent No. 6,112,074 and Henderson, U.S. Patent No. 4,665,385.

Regarding claims 5 and 10, Pinder discloses, the system and method of claims 1 and 7 respectively as described.

Pinder, however, fails to specifically disclose as stated in claim 5, wherein at least one of said plurality of environmental measuring stations comprises a memory for storing at least one predetermined alarm limit in connection with a certain measurement and means for comparing the measuring data obtained based upon a measurement performed by the measuring means with said alarm limit and for generating an alarm signal when said alarm limit is exceeded, and as stated in claim 10 wherein the method comprises setting an alarm limit for a certain measurement and transferring said results over the base station to the terminal device as a response to the measured environmental data exceeding said alarm limit.

Henderson reads on a system wherein at least one a plurality of environmental measuring stations comprises a memory for storing at least one predetermined alarm limit in connection with a certain measurement and means for comparing the measuring data obtained based upon a measurement performed by a measuring means with said alarm limit and for generating an alarm

signal when said alarm limit is exceeded, and reads on a method comprising setting an alarm limit for a certain measurement and transferring said results over the base station to the terminal device as a response to the measured environmental data exceeding said alarm limit (col. 4, lines 29-45).

At the time of invention, it would have been obvious to a person of ordinary skill in the art to modify Pinder with the teachings of Henderson for the purpose of warning individuals of a sensed hazardous condition (Henderson, col. 1, line 58-col. 2, line 10).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Comer, U.S. Patent No. 6,154,648, discloses methods and apparatus for communicating data via a cellular mobile radiotelephone system.

Janky et al, U.S. Patent No. 5,552,772, discloses location of emergency service workers.

Lusignan, U.S. Patent No. 4,972,507, discloses radio data protocol communications system and method.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Temica M. Davis whose telephone number is (703) 306-5837. The

examiner can normally be reached on Monday-Thursday from 6:30 am to 4:00 pm. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner are unsuccessful, the examiner's supervisor, Dwayne Bost, can be reached on (703) 305-4778.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703)305-4700.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-6306 or (703) 308-6296 (for any communications intended for entry).

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

Temica M. Davis

January 15, 2001

NAY MAUNG
PRIMARY EXAMINER